

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 27, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Linda Steinman

Others Present: Kerry Eagan, Chief Administrative Officer
Robin Hendricksen, Deputy County Assessor
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 20, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Heier moved and Steinman seconded approval of the minutes of the Board of Equalization meeting dated March 20, 2001. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 38 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Heier seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**BryanLGH Medical Center
Lincoln Church of Christ
People's City Mission
Southeast Nebraska Mobile Diagnostic Services, Inc.**

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Lincoln Church of Christ, People's City Mission and Southeast Nebraska Mobile Diagnostic Services, Inc. and approval of a motor vehicle tax exemption for BryanLGH Medical Center subject to the applicant registering and titling the vehicle(s). Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

The Chair recessed the Board of Equalization until 2:20 p.m. when it was reconvened.

4) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:**

Section 42 Partners LTD I

Robin Hendricksen, Deputy County Assessor, stated the notice is for tax years 1994 through 2000. He stated the property was added to the tax rolls in 1993, however, it was dropped off in 1994 during the revaluation for unknown reasons. Hendricksen stated the error was not found until 2001 and that there is no alternative other than to go back and add the property back on the tax rolls for those years.

John L. Hoppe, Jr. appeared on behalf of Section 42 Partners LTD I and stated Section 42 Partners built low income housing units. He submitted a copy of a deed restriction (Exhibit A) which requires that the units remain as low income housing for 15 years. Hoppe stated the valuations should not increase because of the restriction and requested that the value remain at \$61,100 due to the deed restriction.

Hendricksen stated he had no objection to the value remaining at \$61,100 for 1994 through 2000, however, he recommended that it be reviewed during tax year 2001.

MOTION: Steinman moved and Heier seconded to set the value for Section 42 Partners LTD I at \$61,100 for tax years 1994, 1995, 1996, 1997, 1998, 1999 and 2000. Workman, Hudkins, Steinman and Heier voted aye. Campbell abstained. Motion carried.

5) **ADJOURNMENT**

MOTION: Steinman moved and Heier seconded adjournment of the Board of Equalization meeting. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk

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David Johnson, Deputy County Attorney
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- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 20, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Steinman seconded approval of the minutes of the Board of Commissioners meeting dated March 20, 2001. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, March 27, 2001.

MOTION: Workman moved and Hudkins seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

David Johnson, Deputy County Attorney, requested the Board to consider an addition to the agenda as an emergency item. He stated the item would be for the closure of North 98th Street south of Highway 6 approximately 800 feet.

MOTION: Steinman moved and Heier seconded to add as an emergency item the closure of North 98th Street south of Highway 6 approximately 800 feet.

Johnson further explained that the road is closed because the City of Lincoln has an agreement/ordinance with Garner Industries. He indicated there is water main work being conducted which the County Board has not authorized.

ROLL CALL: Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to Laura Williams for her services with the Election Commission Office.

4) **NEW BUSINESS:**

A. An application for a Special Designated License from the Wine Merchants, Inc. to hold a wedding reception on Saturday, April 21, 2001 from 5 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street in Lancaster County, Nebraska.

MOTION: Steinman moved and Heier seconded approval. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

B. A contract with Simplex Time Recorder for system tests and inspections on the Corrections Department's smoke detection system, beginning March, 2001 to March, 2002. The County will pay \$6,927 for the services. (C-01-116)

David Johnson, Deputy County Attorney, requested the contract be held for further review.

MOTION: Steinman moved and Workman seconded to hold the contract until further notice from the County Attorney's Office. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- C. An agreement with the University of Nebraska to provide training and implementation of the Asset Mapping Initiative for Families First and Foremost, beginning March 1, 2001 and ending August 30, 2001. The County will pay Dr. John Allen \$2,500 for the term of the agreement to oversee implementation. The County will also pay the University \$9 per hour, up to 20 hours per week, for the services of a work study student. (C-01-117)**

Renee Dozier, Director of Service Development for Families First and Foremost, explained asset mapping is a strength based approach to point out the positives of different communities, i.e., families and communities.

Nyla Helge, System of Care Director for Families First and Foremost, stated they are very excited about the new approach to help youth.

Steinman stated that by identifying community assets they would be able to identify some of the problems that youth have at a much earlier stage and approach it in a new and different way.

MOTION: Heier moved and Workman seconded approval. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- D. A contract with Garcia Chicoine Enterprises, Inc. for guardrail construction related to Project 01-15 at Branched Oak Dam and on West Raymond Road. The County will pay \$99,641.60. The work shall be completed by December 1, 2001. (C-01-119)**

MOTION: Steinman moved and Heier seconded approval. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

- E. A contract with Land Construction Company, Inc. for channel protection at County Bridge X-132, located on Panama Road east of South 38th Street; Project 02-01. The County will pay \$21,641.44. The services will be completed by June 29, 2001. (C-01-120)**

MOTION: Workman moved and Hudkins seconded approval. Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

F. An agreement with Gen Mech Contractors, Inc. for culvert replacement and maintenance at 19 locations within the County; Project 01-13. The County will pay \$108,919. The work will be completed by September 7, 2001. (C-01-121)

MOTION: Hudkins moved and Heier seconded approval. Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

G. An agreement with the State of Nebraska Probation Administration for a drug court probation officer, five monitoring devices and monitoring services for the drug treatment court for juveniles within Lancaster County, Nebraska, beginning April 1, 2001 and ending November 1, 2001. The County will pay \$22,373 for the probation officer and \$1,500 for cell phone usage and mileage. The County will also pay \$7,975 for the purchase of monitors and \$1,500 for monitoring the juveniles. (C-01-118)

MOTION: Steinman moved and Workman seconded approval. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

H. A contract with Schmader Electric Construction, Inc., in the amount of \$62,984, for four outdoor warning systems for the Emergency Management Department. (C-01-124)

MOTION: Heier moved and Workman seconded approval. Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

I. A resolution awarding a personal holiday to classified employees who did not use sick leave during the period of July 1, 2000 through December 31, 2000. (R-01-15)

MOTION: Workman moved and Steinman seconded approval of Resolution 01-15. Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

J. A resolution in the matter of instituting eminent domain proceedings; Project 01-23, Tract 1. (R-01-17)

The Clerk announced that New Business Item 4J was removed from the agenda.

4) **NEW BUSINESS CONTINUED:**

K. A resolution in the matter of proclaiming April 1 to April 7, 2001 as "National Records and Information Management Week". (R-01-18)

MOTION: Heier moved and Workman seconded approval of Resolution 01-18. Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

L. Creation of the Juvenile Mental Health Department and appointment of Sheryl Schrepf as the Juvenile Mental Health Director at an annual salary of \$70,000, effective April 1, 2001.

MOTION: Steinman moved and Heier seconded approval.

Heier clarified that a new department is not being created, only a title. He stated they are not expanding government.

Hudkins noted that funding for the appointment comes from a grant.

ROLL CALL: Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

M. Recommendation from the Purchasing Agent and the County Engineer to award a bid for one material conveyor with PTO drive to Kimco USA, Inc., in the amount of \$24,720. (B-01-17)

MOTION: Hudkins moved and Workman seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

N. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Monarch Oil, Inc., in the amount of \$13,970, to provide labor and materials for crack sealing on the following County roadways: (B-01-19)

- ▶ Northwest 84th Street from Highway 6 north two miles to West Adams Street
- ▶ North 14th Street from Morton Street north 10.5 miles to Agnew Road
- ▶ West Agnew Road from Highway 79 east 8.9 miles to Highway 77

MOTION: Hudkins moved and Steinman seconded approval. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

O. Award of bid for the remodel and addition for the new Election Commission Building located on North 46th Street to Brester Construction Inc., in the amount of \$230,800. (B-01-18)

MOTION: Steinman moved and Heier seconded approval. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

P. Acquisition of systems furniture from All Makes Office Equipment, in the amount of \$61,297.30, for the new Election Commission Office located on North 46th Street.

MOTION: Hudkins moved and Workman seconded approval. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

Q. Authorization of Wells Fargo Bank, as Trustee, to disburse \$1,742.98 from the juvenile detention center bond proceeds to Sinclair Hille Architects for architectural services provided for the new Juvenile Detention Center, \$454,044 to Cheever Construction Company for Payment Application Number 13, as general contractor for the Juvenile Detention Center and \$5,820.23 to the City of Lincoln, Public Works & Utilities for plan approvals and inspections for water, sewer and paving of Radcliff Road. (M-01-34)

MOTION: Heier moved and Steinman seconded approval.

Workman stated the disbursement brings the amount paid out to \$5.4 million. He added that the Juvenile Detention Center is 59 percent complete as far as expenditures.

ROLL CALL: Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

R. A disbursement from the Lancaster County Leasing Corporation Renewal and Replacement Fund to Bob and Don's Plumbing, in the amount of \$2,875, for two food disposals for Lancaster Manor. (M-01-33)

MOTION: Workman moved and Hudkins seconded approval. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

S. A disbursement from the Lancaster County Leasing Corporation Renewal and Replacement Fund to A.A. Leupold & Son Inc., in the amount of \$12,000, for Payment Application 2 for interior wall covering for Lancaster Manor. (M-01-35)

MOTION: Workman moved and Hudkins seconded approval. Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

T. A political subdivision tort claim filed against Lancaster County by Vincent M. Powers, on behalf of Chris Nielson, in the amount of \$75,000.

MOTION: Steinman moved and Heier seconded to deny the tort claim. Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

U. A political subdivision tort claim filed against the Corrections Department by Bret Griswold for lost property, in the amount of \$10.

MOTION: Heier moved and Workman seconded to accept the Director's recommendation and deny the tort claim. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

V. A request from Burr Wolff, on behalf of Fleet Business Credit Corporation, for a refund of 1999 personal property taxes, in the amount of \$997.41. (M-01-32)

MOTION: Heier moved and Workman seconded approval, in the approximate amount of \$997, according to the County Treasurer's records. Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

W. A request from Leasetec Corporation for a refund of 2000 personal property taxes, in the amount of \$7,606.58. (M-00-27)

MOTION: Steinman moved and Heier seconded approval. Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lincoln City Libraries Monthly Report for February, 2001.

B. A resolution in the matter of the inclusion of territory located within the incorporated limits of the Village of Bennet within the boundaries of the Bennet Rural Fire Protection District. (R-01-16)

C. A resolution approving County Miscellaneous 00014, requested by the Director of Planning, to amend the text of the Lancaster County Subdivision Resolution to add language requiring the name and number of the Preliminary Plat upon which the Final Plat is based to be shown on the Final Plat. (R-01-14)

D. Right-of-way contracts relating to road improvements between the Lancaster County Engineer and the following:

- ▶ Maxine K. Sorensen on West Rock Creek Road to Northwest 112th Street, in the total amount of \$77.50; Project C.P.D.-108. (2 contracts) (C-01-122 and C-01-123)
- ▶ John L. Sullivan on West Denton Road, in the amount of \$28.75; Project C55-N-404(1). (C-01-125)

MOTION: Steinman moved and Hudkins seconded approval of the Consent Items. Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

6) **EMERGENCY ITEMS:**

Campbell noted that the Board previously added an emergency item regarding North 98th Street to the agenda and asked David Johnson, Deputy County Attorney, to give them an overview.

Johnson explained that the City of Lincoln authorized water main work to be done on North 98th Street south of Highway 6 approximately 800 feet. He stated as a result of the executive order/ordinance, the contract would appear on the Board's Staff Meeting agenda Thursday, March 29th.

Johnson recommended the County Board authorize closure of the road to the specifications and approval of the County Engineer

MOTION: Workman moved and Heier seconded approval of the closure of North 98th Street south of Highway 6 approximately 800 feet according to the specifications and approval of the County Engineer. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

7) **ADJOURNMENT**

MOTION: Heier moved and Steinman seconded adjournment of the Board of Commissioners meeting. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk